

Remarks

Applicants have cancelled claims 1- 52 without prejudice to their rights to pursue the subject matter of these claims in other applications. Applicants have added new claims 53 to 61 which more clearly define the subject matter of the invention and properly fall within the subject matter of the elected group I claims.

Claims 53 to 62 are pending. Support is found through the specification and in the originally filed claims. In particular, support for the gene insulin-like growth factor binding protein 7 (IGFBP7) is noted in Table J under the RNA accession number NM_001553.1 demonstrating a p value of 3.26×10^{-4} , and is further described in Figure 17, Example 19 and also in Table K with an RNA accession number of NM_001553.1 with a p value of 0.0018 and is described in Figure 18, Example 20. No new matter has been added.

In response to the Restriction Requirement dated September 1, 2006, Applicant elects Group I and claims drawn to a method of detecting bladder cancer.

The restriction requirement states that a further election is required if Group I claims are elected of a single combination of “one or more” markers from Tables 3J, 3K and 3X in the claimed methods. As noted, the Applicant has elected the selection of the biomarker insulin-like growth factor binding protein 7 (IGFBP7) which is found in both Table 3J and Table 3K.

The restriction requirement also states that a further election is required among the fourteen different types of cancer recited in the claims. As noted, Applicant has elected bladder cancer.

A petition for extension of time is attached. However, should any fees be required to ensure consideration of this response, the Commissioner is authorized to charge Deposit Account 04-1105, Reference No. 204231/2055M.

Respectfully submitted,

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Date: December 22, 2006

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